

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TCYK, LLC,)
)
Plaintiff,) Case No.: 13-cv-3828
)
v.)
DOES 1 – 88,) Judge Ronald A. Guzman
)
Defendants.) Magistrate Judge Susan E. Cox
)

INITIAL STATUS REPORT

Pursuant to the Court's Minute Order of June 4, 2013, Plaintiff's counsel submits this Initial Status Report, solely prepared by Plaintiff's counsel because no counsel for a Defendant has filed an appearance.

1. Nature of the Case

- a. **Attorneys of Record**. Plaintiff's attorneys of record are Michael A. Hierl and Todd S. Parkhurst (co-counsel).
- b. **Basis of Federal Jurisdiction**. This Court has subject matter jurisdiction over Plaintiff's claims for copyright infringement pursuant to 17 U.S.C. §101 et seq. and 28 U.S.C. §§1331 and 1338(a).
- c. **Plaintiff's Claims**. Plaintiff alleges that Defendants infringed its exclusive rights in the copyrighted motion picture at issue by computer-based peer-to-peer file transfer. In particular, Plaintiff alleges that Defendants used a BitTorrent file transfer protocol to reproduce and distribute the copyrighted motion picture to and among third parties. No answer has been filed and no counterclaims are pending.
- d. **Major Legal and Factual Issues**. Whether or not each Defendant has infringed the federally registered copyright in the copyrighted motion picture at issue and the appropriate damages for that infringement.

e. Relief Sought by Plaintiff. Judgment against Defendants for willful violation of Plaintiff's federally registered copyright, actual or statutory damages, an order of impoundment concerning all infringing copies of Plaintiff's copyrighted work in Defendants' possession or control, attorney fees, litigation expenses and costs, and such further declaratory and injunctive relief as may be just and proper.

2. Motions and Case Plan

a. Motions.

Plaintiff's Motion for Leave to Take Discovery Prior to Rule 26(f) Conference was filed on June 20, 2013.

b. Discovery. The names of most of the Defendants are unknown to Plaintiff at this time. Each Defendant is known to Plaintiff by the Internet Protocol ("IP") address assigned to that Defendant by the respective Internet Service Provider and the date and the time when the infringing activity of each Defendant was observed. Plaintiff has used geolocation technology to trace the IP addresses of each Defendant to a point of origin within the State of Illinois. Plaintiff believes that information obtained during discovery will lead to the identification of each Defendant's name and address and will permit Plaintiff to amend its Complaint accordingly.

c. Trial. Plaintiff has requested a jury trial, which would probably last 2-4 days.

3. Consent to Proceed Before a Magistrate Judge

Plaintiff consents to proceeding before a Magistrate Judge. However, no counsel for any Defendant has filed an Appearance.

Respectfully submitted,

Dated: July 19, 2013

TCYK, LLC

By: s/ Michael A. Hierl
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CERTIFICATE OF FILING

The undersigned attorney hereby certifies that a true and correct copy of the foregoing Initial Status Report was filed electronically with the Clerk of the Court and served on all counsel of record and interested parties via the CM/ECF system on July 19, 2013.

s/Michael A. Hierl